SOME FEW OBSERVATIONS about the late DIFFERENCES In the KIRK OF SCOTLAND,

For Vindicating the Judicatories thereof, Discovering the Principles and way of the *Dissenting Brethren*; AND Clearing of some Mistakes which may mislead the Simple in these Reeling Times.

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18 x 14 cm.
38 p

Printed in the Year, 1653.

Some few Obſervations about the late Differences in the Kirk of Scotland, *for vindicating the Judicatories thereof: for diſcovering the Principles and way of the* Diſſenting Brethren, *and for clearing of ſome Miſtakes which may miſlead the Simple in theſe reeling times.*

IT may be matter of ſad regrate that ever any ſhould have imployed their parts and abilities in writing ſo much upon the Debates that have fallen out for our correction, triall and humiliation in this Kirk: It being a Judgment upon us to have ſuffered Shipwrack upon ſuch a Rock, and to ſpend our time about ſuch work, when it might be far better imployed, and our Condition calls for another exerciſe; Yet when we look upon Affaires, as they ſtand, by reaſon of our contentions, it needs not be thought ſtrange if neceſſity put men to ſay ſomewhat, for vindication of the Truth, and clearing of Miſtakes. When we conſider our caſe in this time, and how by our Differences the generality of the People are turned looſe unto Atheiſm, and uncertainty in Religion, how godly hearts are puzzled and miſled through their miſtake of matters, how Church-Government is made ineffectuall to reſtrain the huge Defection from the Truth that appears in this time, how we are full of ſtrife and debate at all occaſions, our Religion and Covenant branded throughout the World, a Rent ſtudiouſly carried on, the Government of the Kirk, as it is in exerciſe, overturned by our Brethren, who know not themſelves what Principles, Debates and Controverſies may ſtart amongſt them, or what may be the deſignes of ſome, though we believe the generality of them walk in the ſimplicity of their hearts, when we (I ſay) conſider this our ſad and Judgment-like condition, as it

cannot but call aloud for mourning and lamentation; So it doth concern every one to exoner their own Conſciences, and clear themſelves and the innocent of the ſad guilt of theſe things. Nor is it to be looked on as adding Oyl to the Flame of our Debates, if ſomewhat be now ſpoken on this Subject, after that the Judicatories of this Kirk, and Concluſions of Kirk and State, for many years together, are publikely trod under foot by Printed Books emitted by our Brethren, while in the mean time the Kirk hath, with much patience and forbearance, waited for a better Iſſue; And therefore have been ſparing either to ſay or do much in this buſineſſe, leſt they ſhould have obſtructed an Union which is ſo much deſired and longed for. To ſay nothing after all this, our Wound growing incurable, were in effect to betray the Cauſe, and to be acceſſory to all the conſequences which our Brethrens writings and actings may produce amongſt one and other, through want of due information and clearing of matters.

The particulars of our Differences, to which I intend to ſpeak, are theſe. 1. The publick Reſolutions of the Kirk concerning the means of defending the Kirk and Kingdom in their extreame danger. 2. The Proteſtation given in againſt the conſtitution of the Generall Aſſemblies. 3. The wayes wherein the Proteſters have ſince walked and ſtudied to carie on their work more effectually; To which may be added 4. Some advantages they think they have in their cauſe, and their prejudices againſt the Aſſemblies and ſuch as adhere thereto, which therefore they inculcate frequently upon people to gaine or fix them for them. In proſecuting of theſe, I purpoſe not to trouble my ſelf or others with large debates, but onely to remarke ſuch things briefly as may diſcover the unreaſonableneſſe of our Brethrens way, and undeceive the mindes of people.

HEAD. I. As for theſe Reſolutions they are comprehended chiefly in two Papers, firſt that of *December* 14. 1650. concerning the admitting of Perſons to the Forces of the Kingdom, wherein (in anſwer to the States queſtion) after a Narrative of *the States obligation to uſe all neceſſarie and lawfull means for the defence of the Kingdom, of the broken and ſcattered conditon of the Forces of the Kingdom, and the ſubduing of a great part thereof, diſabling the reſt from their own defence without there be a more generall calling forth of the people; The Commiſſion declares that in this caſe they cannot be againſt the raiſing of all fencible Perſons in the Land and permitting them to fight, exeept ſuch as are excommunicated, forfaulted, notoriouſly prophane or ſtagitious, and ſuch as have been from the beginning and continue profeſt enemies ſtill, or are at this time obſtinate and profeſſed enemies and oppoſers of the Covenant and Cauſe of God;*

And

And for the capacity of acting, that there be speciall care in such a general concurrence, that none be put in such truſt or power as may be prejudiciall to the Cauſe of God, and that ſuch Officers as are of knowen integrity and affection to the Cauſe, and particularly ſuch as have ſuffered in our former Armies may be taken ſpeciall notice off. The ſecond Paper is that of *May* 24. 1651. concerning the admiſſion of Perſons to places of truſt in the State, and reſcinding the Act of Claſſes in anſwere to the ſeverall deſires of the King, Parliament, and Committee, wherein the Commiſſion *of the Kirk after a Declaration that it is not competent to them to make or repeal Acts of Parliament, that they had no hand in the making that Act, nor would they determine the keeping up or reſcinding of it; They doe further declare in point of Conſcience, that As they know nothing of the nature or grounds of any Engagement to* England *that ſuch as were acceſſorie to the ſinfull Engagement againſt them ſhould not be admitted to places of Power and Truſt, conſequently would leave it to the Eſtates to judge off; So that the Covenant and Solemne Engagememt and Declarations did not ſpecifie any definite time for ſecluding Perſons from places of Power and Truſt for bypaſt offences; but only binds and oblieges condignely to puniſh offenders as the degree of their offence ſhall require, or the ſupreame Judicatories or others having power from them for that effect ſhall judge convenient, to purge all Judicatories and places of Power and Truſt, and to endeavour that they may conſiſt of and be filled with ſuch men as are of knowen good affection to the Cauſe of God, and of a blameleſſe and Chriſtian converſation (which is a morall duety and a perpetuall obligation)* upon which they infer *that by theſe grounds the State (in whoſe power it is to ſhorten or lengthen the time of ſuch cenſures, as they find juſt and neceſſarie) is not hindered to admit theſe that have been debarred, and reſcinde the cenſures inflicted by the Act of Claſſes without ſin, providing they be men who have ſatisfied the Church for their former offences, have renued or taken the Covenant, and be qualified for ſuch places with the qualifications required in the Word of God, and expreſſed in the Solemn Acknowledgement, and Engagemnt, viz, that they be men of knowen good affection to the Cauſe of God and of a blameleſſe and Chriſtian converſation, that ſo no perſons get ſuch Truſt and Power put in their hands as may be prejudiciall to the Cauſe of God.*

Upon theſe two Papers have the moſt part of all our late debates run, concerning which theſe things would be obſerved,

OBSER. 1. However our Brethren pretend all this their diſſatisfaction, and the ryſe of the Differences which have lamentably rent this Kirk, hath flowed from the Reſolutions of the Kirk before mentioned, yet it would be

conſidered that this is a great fallacie to enſnare people, for their principles and way doth condemn not only theſe Reſolutions, but all the proceedings of Kirk and State in reference to the ſecurity of the Cauſe of God and Religion in the years 1649. and 1650. as appears from their practiſes before that debate anent the Reſolutions was moved, and from their Printed Papers ſince, wherein all the Acts of Parliament and Aſſembly for ſecurity to Religion to be had from the King, and all the Inſtructions unanimouſly agreed unto for that end, are noted as ſteps of the Lands defection and Cauſes of Gods wrath, from whence I deſire it may be conſidered.

1. Theſe Reſolutions of Kirk and State, containing not only the utmoſt of what the greateſt Diſſenters themſelves then thought neceſſarie, when they had great power and influence both in Kirk and State, the Malignant party, who could have hindered, being a little before removed; But alſo conditions of ſecurity far beyond any whereon both or either Kingdom offered to receive the King in former times, as is evident from the Propoſitions at *Uxbridge*, *Newcaſtle*, and *Hampton-court*, compared with theſe, will it not neceſſarly follow that all that hath been concluded by the Kirk and State of *Scotland* in this point from the beginning hath been a defection according to our Brethrens preſent principles? And theſe their late concluſions a departing in themſelves from what they, ſome few years before, thought a great victory to the Cauſe of God to obtain? This being looked on will eaſily diſcover that the late debate is but a ſmall part of the difference betwixt the Generall Aſſembly and our Brethren, and that they have indeed ſtarted new principles.

2. If the corruption of a Judicatory in its chief proceedings in the mater of Acts be a main ground whereon to condemn the conſtitution of the Judicatory; and if the ſinfulneſſe of the Reſolutions bear much of the ſtrength of ſeverall other Arguments againſt the conſtitution of the Aſſembly, as is Aſſerted, *Nullity*, p. 115. and 116. And if, *although there were nothing relating to the point of form, in conſtitution or manner of proceeding, yet an Aſſembly proceeding upon wrong matters is null*, as is (though not poſitively, yet by inſinuation ſtrong enough) held out in the firſt Paper confirming the Proteſtation againſt the Aſſembly at S. *Andrews* and *Dundee*, *Nullity*, p. 268. and after the ſame maner confirmed by the Reviewer from teſtimonies of Divines, *ibid.* p. 273. and by anſwering the Vindicators Objections, *p.* 274, 275. And if that be true which is Aſſerted by them, *viz. That theſe who diſapproved the publike Reſolutions and Acts at Dundee, cannot keep the Aſſembly now indicted*, (to wit, that appointed by the Aſſembly at *Dundee*) *nor be conſenting to the Election of Commiſſioners for that effect, and conſequently cannot acknowledge*

acknowledge it for a lawfull Assembly, as is Asserted in a Paper Printed, *Nullity*, p. 298. *&c.* and is frequently inculcate upon simple and honest people, whose only engagemẽt to our Brethrens course is, their dislike against some of these Publike Resolutions, which therefore they hold out to them as the only ground of all the Rent, not only in opinion, but in practise and overturning Judicatories: I say, If these Principles of our Brethren hold good, (which yet will not abide the triall) Then certainly, from what hath been said, we must go some further back, and not only renounce the Assembly, 1651. but the Assemblies, 1649. and 1650. The first whereof did approve of the Commissioners of the preceeding Assembly, their Instructions given, upon which the King was to be treated with, and upon satisfaction given was to be received, (which Instructions our Brethren do now condemn.) And the second did actually Approve the transactions with him, upon the Instructions drawn up by the preceeding Commission, whereby, as our Brethren judge, they committed an horrid defection, in treating with, or receiving him, who was the Head of all the Malignant Party, while he continued in his disaffection and enimity to the Work and People of God, as is at large deduced in the Causes of Wrath, *pag.* 53. to 60. And not only so, but laid the foundation of all that which they call defection in the Commission, 1650. and Assembly, 1651. In that however both Kirk and State desired and earnestly pressed that the King should not bring his Malignant followers with Him, yet was not that desire made any clause irritant of the Treaty, nor one of the desires, upon granting whereof (and not else) the King should be invited, as will appear from the Instructions themselves: yea, we must go yet further back and condemne all our Assemblies which upon easier terms did or would have received the King and Malignants; And thus if the mater, or going wrong in the most materiall things, make null an Assembly, what valide Assemblies shall we have in *Scotland*, if we be of our Brethrens opinions? And what confusion shall we involve the government of the Kirk and our selves into? It shall be to small purpose to Object, that these other Assemblies did many other things good upon the matter: for it were want of charity to say, that the contraverted Assemblies did nothing good, many of their Acts will witnesse the contrary for them, sure I am, as other Assemblies did establish the parts of our Uniformity, and so left it not to them to do so all the hurt they did, overturned and wronged none of them. And if our Brethrens ordinary principle sustain, *viz.* that the entrusting of Gods interests to his enemies is a maine ill and would overturn all the Work, then former Assemblies on their Grounds transgressed very highly in this kinde, in both their Doctrine and Practice in reference to the King, and so what they

seemed

ſeemed to build up with one hand they pulled down with the other, as theſe late principles would have us to infer.

3. As to the matter it ſelf of theſe Differences about former tranſactions and concluſions, ſome what would be conſidered by the Judicious and Sober Godly, ſeeing our Brethren inſiſt ſo much on it in their Printed Papers (upon what account themſelves beſt know, and others may conjecture,) And 1. it ſeems ſtrange Divinity that a ſupreame Magiſtrate is not to be received upon any Profeſſions or Engagements, by Oath or Write unleſſe we be ſatisfied with his motives and ends, (which ordinarly are not known but by conjectures) and unleſſe he give ſuch ſatisfaction and evidences as ordinarly are required of Independent Members in their Admiſſion to Churches; It is to be doubted whether Scripture or any Divine or Confeſſion of Faith in the Reformed Churches will owne ſuch a Tenet. 2. It ſeems as ſtrange a practiſe that private Perſons ſhould (ſuppoſe there were a wrong in it) take upon them, not onely to mourne in ſecret (which I conceive is their duetie) But 1. ſhould in ſo publick a way in Print (uſurping the Name and Authority of a Commiſſion of the Kirk, which yet though full, their number and their Commiſſion ſtanding never had power to that effect) publiſh to the World a condemnation of that which this Kirk held forth as their Reſolution ſince the beginning of this Reformation, and which both State and Kirk had judicially approven, and obtrude it upon the Land as a cauſe of GODS anger. 2. That they ſhould condemn *in cumulo* theſe particular Inſtructions and Tranſactions for the moſt part upon truſt and on the report of others; for it may be clearly manifeſted that the moſt part of theſe Brethren who paſſed that ſentence never ſaw theſe Papers, nor can tell whether theſe things they Aſſert of them be true or not; for they were never Printed as the former Papers were, and did in ſeverall things exceed them in ſtrictneſſe of conditions. 3. That it ſhould not ſuffice them in their places and ſtations to propound grievances before ſo grave a buſineſſe were concluded; But, after it is concluded, to ſeek to have all undone again, becauſe they are not ſatisfied, whereas ſober reaſon would tell them, that *Multa impediunt Matrimonium contrahendum quæ non dirimunt Contractum* (which if it have not place in ſuch weighty matters, as eſtabliſhment or rejection of Supream Magiſtrates, Government muſt be in a ſtaggering condition) and that private perſons ought to ſubmit, as not being priviledged by the Covenant to have a negative voice over the State and Kirk, to whom in their reſpective places theſe tranſactions concerning the matter of Malignancy are expreſly referred by the Covenant, and to whom, by the Law of GOD, Nature and Nations, managing of theſe publike Affaires

faires are committed. 4. It is yet ſtranger that ſome of the Diſſenters, who, in their publike capacities, had a chief hand in the publike concluſions and determinations, and who were chiefly active in the cloſe of theſe tranſactions, ſhould themſelves (upon convicton of guilt or otherwiſe) be chief Actors in overturning of them: It were better men mourned for theſe guiltineſſes (if they account them ſo) in ſecret, then to ſeek amending of their fault by overturning concluſions of ſuch concernments; For if theſe practiſes be allowed, no ſociety in the world can ſtand without overturning, nor any man be ſure of any Law, or Legall Right; if men may, becauſe they are convinced of a wrong, ſeek to repair it by ſhaking off concluded Laws and Tranſactions made in the view of all the World, they may, on the ſame ground, more eaſily overturn any private intereſt whatſoever.

OBSER. 2. Whereas our Brethren lay the weight of a Defection and forſaking of the Cauſe of GOD upon theſe Reſolutions of the Commiſſion, *Decemb.* 14. 1650. It would be conſidered whether themſelves be not guilty of firſt forſaking the Cauſe and Countrey, and of giving occaſion to theſe Reſolutions what ever they were: For the clearing whereof it would be Obſerved.

1. That a conſiderable Party of Forces, being raiſed in the Weſt after the Defate at *Dumbar*, did keep themſelves ſeparate from the reſt of the Kingdome, refuſing to join with them for the common defence thereof, notwithſtanding the many intreaties and deſires uſed to perſwade them; And did in a ſeparate way expoſe themſelves to be broken, and the Countrey, where they were, to be overrun by the prevailing Forces, and made unable to help themſelves or the Kingdom; And all this before theſe Reſolutions came to be debated. Now I hope any indifferent ſober ſpirit will judge that it could not but put the State and Kirk in great difficulties what to do, when, by their ſeparation, the Forces, raiſed by the Countrey, were loſt and broken, and much of the Countrey made unable to do their duty, and that they cannot clear themſelves of great acceſſion thereunto, who were bound to have concurred with their Brethren, at leaſt not to have caſt away the Forces raiſed upon the Countries charge, but have delivered them to the State, if they would not have joyned themſelves.

2 This contributes not a little to the clearing of their Acceſſion, that when they did thus continue ſeparate, they might have been able to have redreſſed or prevented any thing that they conceived to be wrong in an orderly way, having an conſiderable part of an Army, which being joi[n]ed with the States, might have prevented all occaſion of running to ſuch [re]me[di]

medies as afterward bred the Diſpute; but they would neither joyne themſelves, nor allow the State to make uſe of others. There was alſo a conſiderable number of the members both of State and Kirk Judicatories, who, attending their charge, might have contributed to keep both right, and all well affected men would gladly have joined with them on all lawfull principles, who could not but miſtake and be ſtumbled at their ſeparate way. And certainly, the longer we live, experience will confirm us the more, that ſuddainneſſe in renting Societies, deſerting of Judicatories, and not ſtudying to keep up Order and holding the Judicatories we have right, and bearing with much before we make a rent, is a dangerous inlet to all confuſion.

3. This ſeparation is yet ſo much the more to be challenged, as that the tearms upon which they ſeparated were not becauſe of the Reſolutions (which at that time had no being) but becauſe of theſe things contained in the former Section, which had been eſtabliſhed and concluded in Kirk and State, and which they did again challenge and ſeek to have overturned in their Remonſtrance to the State; wherein alſo they pointed at many faults in King and State, which if they had onely preſented by way of humble Teſtimonie and exoneration to their conſciences, when they went about their dutie, for the defence of the Kingdom, or had uſed their endeavours onely to have what they conceived to be amiſſe reformed by Judicatories in an orderly way, it might have been well conſtructed: but when they ſecond their teſtimonies with a ſeparation, and ſubjoin certifications to their deſires, it cannot be denyed but they went without the ſphere of private perſons. Theſe things being laid together, it may appear that long ere ever the Reſolutions came in hands, our Brethren had much weakned the ſtrength of the Kingdom, by their receding from the common Concluſions of the Judicatories, and preſſing of Reformation of abuſes in an unorderly and diviſive way; and that what ever fault they finde in the courſe was after taken, for the defence thereof, they muſt bear the blame of it.

Obser. 3. As to the matter of the Reſolutions, if we look upon it ſimply and in the Theſis, it will ſeem a ſtrange Paradox, and inconſiſtent with the ſafety of any Nation in the World, to deny the Subjects thereof the liberty of defending themſelves & their Nation againſt a forraign Invaſion, unleſſe we would incurre the hazard of diſtruſting of God. Let this principle go through and be received, and a very weak People may ſubdue as many Kingdomes as they can invade. And it would be conſidered, 1. That when not only the Cauſe of Religion, but the whole Kingdome, wherein all the Subjects have a common intereſt and are preſerved, are in hazard;

In

In that caſe, what ever may be ſaid againſt one Kingdoms voluntary joining with another ſinfull Kingdom for aſſiſtance (which is all that the Scriptures, cited in the *Cauſes of Wrath*, pag. 63, 64. ſpeak to in this matter, and that only alſo in the caſe of different Religion) yet the Law of nature, and of ſelf-preſervation, and defence will juſtify the neceſſary conjunction of Subjects of the ſame Kingdome, who are not only conjoined by Providence in one common hazard, equally ſeeking to overthrow them all, but are incorporated together as compatriots from the beginning of the Nation. 2. This being clear of it ſelf and never doubted of by our fore-fathers in the beginning of the Reformation, who never made ſcruple to join in caſe of forraign Invaſion, even when the generality and Rulers were Popiſh, and when they yet doubted if GOD would ſecond their endeavours with ſucceſſe, conſidering the corruptions of the time. It may be further confirmed thus, That CHRIST never came to a people with his Goſpel, to make that unlawfull, which was lawfull, before he came, by the light of nature; For we finde that, notwithſtanding the Chriſtian Religion, Servants were tyed to their Idolatrous Maſters in all lawfull Imployments, and Chriſtian Citizens were bound to joyn with their fellow-Citizens in like caſes; And we finde the *Legio fulminatrix* and many other Chriſtians in the Armies of Pagan Emperours; Nor is it to be thought that the Covenant ſhould alter the Civill Liberties of a Kingdom, being contrived with the contrary Profeſſion, and particularly remitting the matter of Malignancy to the Judicatories, as was ſaid before. 3. This *theſis* is yet more favourable in reſpect of them who before had been laid by, conſidering, that in this caſe they were in common hazard, as they were not before; that being ſecluded for another cauſe while the King was in oppoſition to the Covenant, they were deprived of their tentation by the Kings coming in to it; And that in this caſe they were likely to prove more cordiall then others who were fixed againſt them, as the event hath proven of many. 4. The Oppoſers of this *Theſis* themſelves find a difficulty to overturn it *ſimpliciter*, but have contented themſelves, many of them, to be againſt the putting off ſuch men in places of Power and Truſt; Yea it is confidently averred that they were not generally againſt their taking in, but the ſecluding of ſome few Perſons would have ſatisfied them; But as they cannot charge the putting of any unfaithfull men in places of Power and Truſt, upon the Kirk, (as ſhall be cleared in the next Section) ſo they would conſider how ill theſe qualifications of the Debate will ſute with their Principles; for the moſt part of their Arguments will plead (if any thing) againſt the receiving of one as well as all, the meaneſt ſouldiers place being a truſt, as well as the greateſt Commanders, an

majus & minus non variant speciem peccati, though possibly it may lessen the degree.

Obser. 4. It would further be considered, that, as the Commission and Assembly do only owne their own Papers on that subject; so they can be charged with no further, and unlesse the Defection can be fastened on their Papers and Resolutions, it will (beside an irrelevancie in the Cause though proven true) be found a great sin to rent from them because of many things in practise, which, how grosse soever, yet are not allowed by them in their Publike Resolutions; Nor can it, without breach of Charity in a high degree, be said, that the prime and leading men in these Judicatories intended them to make way for those practises; Or followed these Resolutions out of such a designe not out of conscience; Or that, when they joined in these Conclusions, they did not in their hearts abhorre Malignancy as they had done formerly; Or did not grieve and mourn for the particular miscarriages that they saw in following forth the defending of the Kingdom; And therefore when these Resolutions are cryed down, because under that pretext, as it is alledged, designs were carried on in the State or by State-men, to crush those who had formerly bin faithfull or opposite to their designs, because in the application these rules were transgressed; Or because some men took advantage of the necessities of the time, to screw in their own interest: or, because that some were not serious in their publike repentance, and it taken suddenly off their hands by these who received them; Or, because they, who did come in preferred mens Interests before Gods, because the hopes of the Malignant were heightned, that God was provocked by the carriage of affairs to smite and break the Land, *&c.* All those, I say, are but ill Arguments to prove the Conclusions of of the Kirk to be a Defection, or to justify a Rent from them for that cause, for supposing all these to be true (which yet are not to be Asserted but on clear grounds) yet the Kirk may not only justify that these things are not allowed in their Papers, and that much of these distempers in particular men were occasioned by the irritations given by our Brethren, and their lying so much crosse to the Kingdoms defence (as was marked before) And that it is well known that diverse of the chief of these, the receiving of whom our Brethren complain of as a Defection, yet were received to publike Repentance by some of our Brethren themselves: To say nothing how active some of them were in that businesse in procuring a favourable reception of some who were of the same temper with the rest that were received. But further:

1. It may safely be asserted that however the Kirk may in State matters declare from the Word of God what is the rule (as they did) yet to judge of the application thereof, doth not so properly fall under their cognition Ecclesiastical.

2. The

2. The most the Kirk could do in the case of misapplication was to testifie against it, wherein their Remonstrances especially that of *June* 13. 1651. may bear witnesse of their diligence in which *they did expresse their dissatisfaction, and exoner their own consciences in the matter of passing by faithfull men in their choosing of the Committee of Estates, and choosing others void of the qualifications required, and in pressing tender usage to be shewed toward such Godly men as could not joyne in the Resolutions*; which carefulnesse also appeared in that before the rescinding of the Act of Classes, they desired and obtained of the Parliament, *That all such as had been secluded, and should be now admitted to sit in Judicatories, should give assurance never to seek directly nor indirectly the repealing of any Lawes made for promoving of Religion or the Work of Reformation, especially such as were made since the year* 1648; *That they should never directly nor indirectly seek to revenge themselves upon such as opposed them in the matter of the sinfull Engagement, or censured them for their offence therein, or any other course of Malignancie*; *That they should not endeavour to remove faithfull men from their places of Power and Trust, nor quarrell their rights unto their places*; *That they should declare their approbation of the Act of Parliament for keeping Judicatories and places of Trust free of corruption in all points, and should in their stations endeavour to fill Judicatories according to the tennor of the said Act*; *And that the Parliament should enact that if any of these to be admitted should violate or do contrary to these Articles, they should be proceeded against as Malignants and backsliders.* All which will testifie for them that they laboured to free themselves, and in their stations to prevent or remedie these evils.

3. They could not but also consider that divine precepts for qualification of men is one thing, and the prudent application of the measure of these qualifications as God gives the materialls is another; There is no doubt but the rules of Gods Word, and which they expressed in their Resolutions are such as few rulers do imitate exactly; Yet prudence wil teach men not to cast them off for that, but rather to studie to make these who are put in place, Godly.

4. What ever they did testifie against and were or ought to have been grieved for, and apprehensive of, yet that could no way warrant them to desert their station in such an extremity, and leave the Kingdom and Cause wholly in their hand of whom our Brethren speak so hardly, and expose it as a prey to the common danger then impending over it.

Obser. 5. This also would be pondered that what ever these Resolutions were; yet the Doctrine, Worship, and Government of this Kirk

is not altered by them, neither our Confeſſion of Faith brangled by Hereſie, nor our Directory of Worſhip by Idolatry or Superſtition, nor our Eccleſiaſticall Government by Uſurpation of Prelates or Eraſtians, which was the happineſſe this Kirk once ſo much deſired to enjoy; And what a Judgment muſt it be upon us and an evidence of fearfull rigidity that we ſhould break on ſuch a Debate? that we ſhould ſplit and make apparant Ship-wrack of a glorioufly Reformed Kirk upon ſuch practicall Queſtions in State-Affaires? Certainly all the Reformed Churches abroad and after ages may wonder at us, who enjoying theſe happineſſes which could be deſired in the point of externall Reformation, and which were the height of our deſires in the beginning, we ſhould not only fall to debating, but make a Rent & Schiſm in the Government upon ſuch a Queſtion, and by occaſion thereof ſhould with our own hands do as great prejudice to the Work of Reformation in one hour as it could be imagined theſe who were received to power in the State could have done in many years. I know it wil be Objected that the admiſſion of Perſons to power, who have contrary Intereſts, would ſoon overturn all the Work: and therefore it is to no great purpoſe to ſpeak of what we enjoyed ſeeing they would ſoon ruine all. I ſhall not reply that this may be judged not ſimply true, for the Church hath enjoyed the Truth under Pagan Magiſtrates; that the Kirk did not approve they ſhould be men of ſuch Intereſts; and that what ever hazard to the Work there is from Perſons, yet, when they are admitted, the beſt remedy is not to rent a Kirk, and open a gape to them to encroach upon her, but rather to take matters as they ſtand, and unite the more firmly for preventing ſuch a danger. But I ſhall wiſh it may be conſidered by any who would ſo Object, 1. If we ſpeak of duty; I ſee not, where men have otherwiſe a right to govern, what can be required of them for ſecurity to Religion, but that they ſeriouſly profeſſe their ſorrow for former miſcarriages (if any have bin) and ſolemnly engage themſelves for the future to perform what is required of approven Magiſtrates; if the Church in her Eccleſiaſticall Adminiſtrations muſt of neceſſity go further, and ſeek more it will be a difficulty to know where to ſtand, and by what rule ſhe neceſſarily and antecedently to admiſſion ſeeks evidences of gracious changes in penitents, by the ſame She muſt try all them who are in and caſt them out if they be found to want thoſe Evidences. 2. If we ſpeak of events and that ſuch profeſſions and engagements will no more ſecure the work then formerly; I need not anſwer that there is no juſt nor certain ground for Aſſerting this ſo univerſally; ſure I am they give more charity to men very lately Malignants, who imbrace their opinion and way, But this I will ſay, that eventually no creature, by any engagement, qualification,

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profeſſion, &c. can ſecure Religion from prejudice by Perſons, for that is GODS Prerogative, all men being liers: for it would be remembred that all this which our Brethren account the Defection of the Land, was carried on by the State after it was purged and conſiſted only of theſe who had oppoſed former Defections; yea it is known that none were more active in ſome of theſe Tranſactions of greateſt concernment before the Reſolutions, then the chief of theſe who condemn them now, and that not upon ignorance and miſinformation, as they have publiſhed to the World in Print: for it will be juſtified on all higheſt perill, that the chief of theſe who complaine were not ignorant of theſe particulars they ſay were keeped up, what ever they pretend to the contrary. Now ſhall we from all this conclude by way of duty that none of theſe can be admitted without the ruine of Religion? it would plead againſt the admiſſion of moe then poſſibly they will allow. 3. This arguing in this caſe is againſt our good old principle, *Cura officii, cura noſtra, cura ſucceſſus, cura Dei*, for our Brethren do by their practiſe abandon the Kingdom, and all the precious intereſts therein, to certain and inevitable rûine, becauſe there is fear of future danger to the cauſe from ſome Perſons preſently admitted to defend it againſt an incumbent and clear danger.

OBS. 6. This further may be ſaid in this debate, that what ever was in theſe Reſolutions, yet they were taken in reference to an extraordinary caſe, and a caſe of great neceſſitie; of which I ſhall not ſay ſimpliciter that it hath no Law or gives allowance to ſin, yet certainly it is *ingens telum* and will allow men to do many things which are not to be examined by ordinary rules fitted for ordinary caſes.

When we find the Law of nature for ſelf-preſervation and defence taking place of the ordinary poſitive precepts enjoyned by God, as appears by *Davids* eating of the ſhew-bread when he was hungry, which otherwiſe he ought not to have done nor could have done without ſin; Why ſhould it be ſo much cryed out upon if in the great extremity, wherein the Kingdome was, ſomewhat had been done which did not agree (as they ſuppoſe) to the full, with the rules agreed upon? And being a caſe which many will declare to have been excepted in the debate when theſe rules were a concluding? Or is it equity that becauſe of any thing done then, the Judicatories ſhould be deſerted as renouncing all the principles? The Judicatories of the Kirk have much to witnes the contrary for them: The Act of the late Aſſembly wherein they gave a ſatisfactory anſwer to all the Brethrens Propoſitions given in to them, except only that which related to this in debate; Their cariage towards depoſed Miniſters who deſired to be readmitted as men unjuſtly cenſured and who proteſted upon the refuſall

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thereof; And their longing desires to have this Rent healed, and the Judicatories strengthened by their Brethrens joyning to go on with the Work of Reformation, according to the received principles of this Kirk: All these and many other instances will plead for them that these Resolutions have not byassed them to make them endeavour to pluck up that which they had been building. To this may be added that the matter of these Resolutions are in the Lords Providence extinct, and as they say in their Papers, that the Assembly is free of the tentation of necessity which induced many to concur and Act in these Resolutions, so it may be said to them that they want occasion of contention about them, unless they will needforce stumble upon that which is taken out of all our wayes. Will it be accounted the mark of a sober and peaceable spirit to keep up debates when the Lord hath laid aside the subject matter thereof? And for men to be satisfied with nothing, unlesse that their opposites repent for that as a sin which in their consciences they judge to be a trueth, and which is not Ecclesiastically condemned as sin by any Kirk Judicatory.

Obs. 7. Last of all, this hath been looked upon by many as sufficient to bind up our Rent in this particular, that whatever be in these Resolutions, yet not only is the subject matter of them and occasion of the debate removed, but the Assembly in order to Peace and Union, or removing or keeping off of censures, hath not imposed upon our Brethren that they should renounce their judgements and light in those points, far lesse that they should be made to acknowledge any offence in their bypast way, but that only out of love to Peace they would forbear holding up Divisions by debates about matters of our late Differences, and that difference of judgement about the managing of Publick Affairs, in our late troubles, may be no prejudice to our joynt acting in Ecclesiastick Judicatories for keeping the Liberties thereof as is held out in the Act, and Overture and Letter of the late Generall Assembly which are in Print. Now as matters stand and as men are divided in judgment about this controversy, I see not what further could be done for peace, for it is a strange case that men having given their testimonies against what they account a course of defection (which yet doth not directly concern Doctrine, Worship or Government, but only some State affaires) should not acquiesce therein without a separation also; And that our Brethren should complain in their Papers of too much time spent in these Debates and of diversions from most necessary duties thereby, and yet will not join in these necessary duties: I suppose that no uningaged and judicious man but will think, that in a Question of that nature, forbearance (after that men hes given their testimonies according to their light) is the next remedy for avoyding Schism till the Lord clear

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mens minds in the Truth, and that ſo long as we are a Nationall Kirk, and do enjoy ſound Doctrine and pure Worſhip and Ordinances, it muſt be a ſtrange ſpirit of contention that ſhould move men to reject ſuch an offer, and that it will not ſuffice them to have their light free, yea and to be free from the practiſe of theſe things which they judge wrong, but that they will keep up the Debate and make ſuch a Rent unleſſe all others come to be of their mind. Who ſo will be pleaſed to read *Junius* his *Eirenicum* on *Pſal.* 122. & 133. will find him to have been of another ſpirit: yea and Mr *Burroughs* in his heart diviſions, *pag.* 79, 80. doth wonder that gracious men, differing from other, will never give over debating, and looks upon it as a way that would keep the Church in perpetuall diſquiet: and in his Commentary on *Hoſ.* 2. 2. he breaths forth the ſame moderation, adviſing that, when we plead with a Church, we ſhould not only do it orderly in ſo far as may be, and by the Churches mouth (which are her Miniſters and Judicatories) but peaceably in ſitting down when we have diſcharged our conſciences; And I conceive our Brethren are eſpecially obliged to uſe moderation in this controverſy, leſt they give too much occaſion to others to miſtake their aim: For it is obſerved by not a few that the moſt part of theſe things they hold out as Defection and Cauſes of Wrath are ſuch as can only be remedied by a change of Church and State, and that they ſpeak ſo of all others that are againſt them, as if themſelves were the only men fit to apply the remedy and were capable of theſe truſts and conſequently give men occaſion to think that the ſweet of government and rule is the great bait that draws them on thus to reject accommodation; Or that the principles will lead them to purge the whole Countrey and all ranks of perſons therein, who are within the Covenant, according as they would have Judicatories purged. Which when our Brethren ſhall think upon, I hope they may find it ſuch a ſcandall as may induce them to clear themſelves by enclining to an accomodation.

HEAD II. Having made theſe Obſervations upon the riſe of our late Differences, which may contribute to clear the miſtakes of many about them: I come in the next place to ſpeak unto the further growth of our differences, by the Proteſtations againſt the conſtitutions of the two laſt Aſſemblies: Theſe are publiſhed in Print, with other things relating thereunto, to the very great ſcandall of many, and diſcovering of the nakedneſſe of our Kirk in the view of the World. What the deſign in it could be, were unſafe to determine, but in ſo far as circumſtances gives ground, may be ſuſpected to have been a deſire to engage all who joined with them, to be over head and ears in that buſineſſe by publiſhing their names in Print,

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ſome whereof, not long before, were much for a joining in the laſt Aſſembly, or very averſe in their inclinations from a Proteſtation, and were much wrought upon before they would joyn in it. With all it may be thought that they had no ſmall deſires to hold out themſelves as a very conſiderable Party in the Land (for what end themſelves know beſt) in which many are confirmed, not only from their high expreſſions of the generality of the Godly joining with them, and that the Subſcribers were but delegats (in a ſort) in the name of many; but from their practiſes, for whereas themſelves often complained of a ſin in taking men hand over head to the Covenant, yet it is known what induſtry was uſed in getting hands to this Proteſtation of all ſorts of People (ſome whereof will hardly abide a triall, and many could little diſcern the Controverſie wherein they embarqued them) and what eſtimation they have of all who joyn in it, who, were they againſt them, might expect leſſe charity, and what induſtry they uſe to blaſt their reputation, who differ from them, though otherwiſe by grace they are what they are. However I ſhall deſire that ſuch as minde Truth and Peace, and who deſire in ſobriety to follow the wayes thereof, would take notice of ſome few things in this Debate alſo.

Obser. 1. It needs not be thought ſtrange that this Kirk be very unwilling to have her ſupream Judicatories caſt looſe and overturned at the pleaſure of any Party who pleaſe to Proteſt againſt them; for as Aſſemblies are an Ordinance of God and acknowledged generally to be the ſoveraign remedy of Church differences, and a bleſſed mean for preſerving Truth and Unity; ſo many of the faithfull Servants of God, who had known in experience the prejudice ſuſtained by the Kirk of *Scotland*, while ſhe was deprived of them, and what a mercy it was eſteemed to recover that Liberty, could not but look on their Brethrens way as on a ſad ſtroke, as knowing that all things could not but then run in confuſion, as they had done before, and the event hath proven, ſince the Proteſtation; and that however their Brethren Proteſted againſt an individuall Aſſembly only, yet there was no way to ſatisfie them with any Generall Aſſembly, let Preſbyteries chooſe never ſo oft, till they got one to their mind. Theſe things are of ſuch concernment as it may truly be ſaid, any difference in judgment might have been comported with, if they would have keeped the Judicatories intire, and not have caſt all theſe in ſuch a confuſion: As for our Brethren, as I will not judge many of them, of being intentionally unfriends to the Government of this Kirk: yet it is no wonder ſuch a courſe did go well on among them, conſidering what was hatching among ſome of them, of a defection from this Kirk, who yet in their firſt Proteſtation profeſſed the contrary. What further projects ſome of them had in

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their minde (as in part appeares) which a ſetled Kirk Government might have given a demurre unto; And conſidering that theſe who appear at that Proteſtation, were (ſome few excepted) neither Profeſſours, nor Miniſters, yea many not men in the time when this Kirk ſuffered under Prelates through want of Aſſemblies, and therefore could not be ſo ſenſible of the danger of laying them by.

OBSER. 2. Though ſome who are againſt the Aſſembly do very often give out themſelves, as only beſt acquainted with the old Acts of this Kirk, yet to this day they have not made out any preſident for their practice, nor cleared themſelves of following a courſe unparalellable in this Kirk: They may find indeed Proteſtations againſt Acts of Aſſemblies, and Proteſtations againſt the Civil Magiſtrates encroachments upon the Liberties of the Kirk; but, to Proteſt againſt the conſtitution of an Aſſembly, is unuſuall. This Kirk, being wronged by pretended Aſſemblies, did, when ſhe got a free Aſſembly, condemn and reject them, and ſo left another in their place to avoid confuſion, which cannot be eſchewed in our Brethrens way. It were little to be regrated if a free Aſſembly ſhould condemn never ſo many before, for ſtill the Kirk ſhould be in poſſeſſion of her Rights, but this is complained of as inuſuall and a nurſery of all confuſion, for private men to overturn a Judicatory, and leave us there during their pleaſure. The onely inſtance they produce is Mr *John Davidſons* Proteſtation againſt the Aſſembly at *Dundee*, in *March*, 1597. which yet will make nothing to their purpoſe. The true Story of it is (as is left on record by Mr *David Calderwood*, an impartiall Obſerver of the paſſages of thoſe times) that when the Aſſembly proceeded to approve of Miniſters to be Commiſſioners in Parliament, in name of the Kirk, Mr *John Davidſon* did Proteſt againſt the proceedings in that Aſſembly, becauſe it had not the Priviledges of a free Aſſembly permitted to it, but was overpowered and overawed by the KING: ſo that the ſaid Mr *John* was not permitted to ſpeak his mind in the Aſſembly, the lawfull Commiſſioners were diſcharged by publike Proclamation, and particularly Mr *Andro Melvill* and Mr *John Johnſtoun* were charged to remove themſelves off the Town, before the King would ſuffer any thing to be done, as is contained in the ſaid Proteſtation and Hiſtory of the Kirk. This is far different from our Brethrens way; for he Proteſted chiefly againſt an act, that did overturn the Government of the Kirk, they upon a Queſtion extrinſecall to our Doctrine, Worſhip or Government, and that before the Aſſembly had concluded any thing in it: His Proteſtation was chiefly againſt the Act, not the conſtitution, the unfreedom of the Aſſembly being only given as a reaſon of his Proteſtation, and declared unfree, not ſo much in

the point of conſtitution as that it was overpowered: Their Proteſtation is chiefly againſt the conſtitution, declaring it null to all effects; But the after carriage, as it is recorded in the Hiſtory, will make the difference yet more clear. For as, before he gave it in, it was thought inexpedient that any ſhould ſubſcribe it but himſelf, ſo when divers well affected Miniſters, who left that Aſſembly with him, did joyn with him in ſubſcribing that Proteſtation, when he was landed on this ſide of the Ferry of *Dundee*, yet when they came to S. *Andrews* to Mr *Andro Melvill* and others, it was concluded that they ſhould cut off the names and burn them in the fire, that ſo they might avoid a Schiſm. Had our brethren traced theſe paths of ſobriety and prudence, the Proteſting of ſome few of them (though of a ſtrain far beyond his) had been more tollerable: but when they are content with no leſſe then making of Parties, engaging multitudes of well affected men and others to join in their Proteſtation, appointing extrajudiciall meetings for that effect, pretending to the power of an expired Commiſſion (whereof yet thoſe of their number are but the minor part by far) keeping of ſeparate Faſts, refuſing to join with their Brethren, in their Humiliation, and many ſuch practiſes; Who can look upon that, but as a practiſe as unparalelled, as it is injuſtifiable in it ſelf.

It will yet further appear, that that Proteſtation was at no time looked on as being againſt the conſtitution of that Aſſembly, in that not only the faithfull Miniſters of that time acknowledged that Aſſembly, and gave obedience to ſuch lawfull Acts as were made therein, as Acts of Aſſemblies, and particularly Mr *Robert Bruce*, in the time of his triall about Impoſition of hands, after that Aſſembly, took Inſtruments that he was willing to obey the Act made in that Aſſembly anent planting of *Edinburgh*: But it will be more clear if we conſider what is ſaid in that Paper of the Lord *Wariſtouns*, Printed in the *Nullity*, pag. 12. that by this legall mean of Proteſtation the Lord preſerved this Kirk from a total backſliding &c. as at other times, ſo alſo betwixt 1597. (at which time this was given in) and 1638. Now if the corruption of the conſtitution of Generall Aſſemblies be one of the chief cauſes of our evills, (as our Brethren Aſſert in their Proteſtation, from the Act of the Aſſembly, 1639.) and if Mr *Davidſons* Proteſtation were againſt the conſtitution of that Aſſembly, it will clearly follow that that defection and wrath, due for it, is yet lying on and not removed by the Aſſembly, 1638. But it is clear that this whole Kirk, in the Aſſembly at *Glaſgow*, did not judge that Proteſtation to be againſt the Conſtitution, and therefore never made uſe of it for that end when they condemned other corrupt Aſſemblies: but on the contrary, however they condemned the civil places and power of Kirk-

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then (and so indeed made up the Breach, which begun then, and against which the Protestation was, and by which Protestation the Assembly entered Heirs to the wonted Interests of the Church of *Scotland*, as is said in the forementioned Paper) yet the same Assembly makes use of other Acts concluded there, and revives them as other Acts of lawfull Assemblies; Witnesse the Act cited in the second Reason against the pretended Assembly at *Lithgow*, and Reason 5, 6. against the pretended Assembly at *Perth*, and that Act (cited *pag.* 21. of the Printed Acts of the Assembly at *Glasgow*) for monethly controverted heads. Nor needs it stumble any that that Act is Printed to have been made in the Assembly, 1598: for indeed that Assembly which began on *March* 7. after our old way of account (which, till 1600. began not the year on *January* 1, but on *March* 25.) was in Anno 1597, but according to the new account was in 1598; And therefore is indifferenly said to be in the one or other year, and particuly in the History written since the *Change*, is reckoned to be in 1598. However all that know our History, and Records of the Kirk, know it was the same Assembly that made that Act, and that we had no other Assembly in *Anno* 1598, nor till that at *Monrosse*, Anno 1600.

OBSER. 3. It is to be regrated that as our Brethren before the Assembly at Saint *Andrewes* and *Dundee* had so packed their businesse, as that either the Assembly, in such a juncture of time, must examine so many score of sheets of Paper upon the debate, as could not have been scanned to purpose, and as is usuall in our Assemblies for many moneths; Or else they should be no lawfull Assembly (as they infer from this, in one of their reasons) so after the Assembly they have followed the same Method in publishing to the World a large book in defence of their cause, so that if any should undertake to answer it, he should be sure not only to trouble himself and waste much precious time, but the World also in writing of volumes, or else be repute to have yeelded all he answers not. Besides, they have filled their book with stories of matter of fact (of which the minor of all their arguments consists) which as no one man can know, so far lesse can people build any certainty upon them, unlesse they will take them upon trust from the writers: for however it be known that in many of the stories, the Truth of the matter is mistaken, and in some of them half tales of truth are set down, to make the rest passe current; yet if their Narration be contradicted, how shall that clear the reader who shall have no more but *he said, and he denied*, to walk upon in a Cause which our Brethren make to be of such importance? Shall they implicitly believe reports as they affect the Person of the reporters? But that is an unsafe rule, or shall they, or any, desire to have the truth sifted out? But who shall be

judge? For our Brethren have already made that ſure, not to admit of any judge but that which they pleaſe. As they had ſmall cauſe in the judgement of many to have brought that debate in Print, when nothing was Printed againſt them in it; ſo they would conſider whether they have walked in a fair way, or uſefull for people in their book.

OBSER. 4. Our Brethren would alſo conſider that their Papers ſtrike further againſt the Kirk of *Scotland*, then by overturning the conſtitution of that Aſſembly only, for their chief reaſon againſt the conſtitution taken from the Commiſſions Letter to Presbyteries which they ſo much inſiſt on, if it have any force at all, as overſweying Presbyteries in the matter of Election (in which caſe only it can ſtrike againſt the Aſſembly) doth not only make null the Aſſembly, but concludes all or moſt part of the Presbyteries in *Scotland* under perjurie, and to be betrayers of the Liberties of the Kirk, in yeelding to the deſire in the Commiſſions Letter, which is an heavy charge, and not to be given ſo raſhly againſt a Nationall Kirk, and ſo many faithfull and eminent Miniſters therein. Withall, what ever influence that Letter had, put the caſe other then indeed it was, it could prejudge the Commiſſioners, no further then in the matter of the Reſolutions to which it relates, and conſequently could not make the Aſſembly null in it ſelf and to all effects.

OBSER. 5. Sad experience (although we had no other School-maſter) may teach, and all will grant, that to make a Rent and Schiſme in a Kirk is a great ſin, and of dangerous conſequence; and all the conſequences that we ſee do follow upon it in this ſad time, or may follow on it hereafter, will lie at your door who make the Rent. Now our Brethren would ſeriouſly ponder how far they are acceſſorie to, and how much active in this Schiſm: I know they will labour to clear themſelves of it, by charging the Schiſme on thoſe who have made a defection, and on that part of the wall of the houſe which hath fallen from the ſtanding part of it: To which (leaving the Queſtion, where the right or wrong is in the Point of debate) I ſhall only Anſwer, that, in the matter of Schiſm, it may oftentimes fall out that the Error may be on the one ſide, and yet they who make a Rent, becauſe of that Error, may be guilty of the Schiſme; as when the fault for which they Rent is a true fault, yet not relevant, nor of weight to found a Schiſme, or when the Schiſme upon a weighty cauſe is caried on in a ſudden and heady way, as is learnedly cleared by M. *Brinſley* in his arraignment of Schiſm, *pag.* 24. 25. Now ſuppoſing the Judicatories to have been in an Error in the point in Queſtion, ſhall that juſtifie their Renting of the Kirk aſunder? when the Queſtion relates neither properly to our Doctrine, Worſhip, nor Government, and when theſe who are ſtumbled are not enforced to be active in the matter, but only (having given their teſtimony) to be peaceable

peaceable and forbear the debate for Peaces ſake? ſhall no leſſe then preſent diſmembering be uſed to cure our ulcers, ſuppoſe they were ſo? I put it out of all Queſtion, that ſo long as the Kirk of *Scotland* remains a true Church in a morall ſenſe, this is not the Method of curing her, to ſeparate from her in her Judicatories: And if they look on the matter of the Reſolutions, as of ſuch moment that it is not enough to teſtifie againſt them, but they muſt ſeparate from an Aſſembly, becauſe of them (as our Brethrens late Papers endavour to evince) I ſee not why they ſhould not ſeparate from Presbyteries, Synods, yea and publick Worſhiping of God, with theſe who maintain theſe Reſolutions, for in all of theſe caſes, they do but joine with them in a lawfull duty whom they judge to be wrong in ſome other things, and why wil they not do ſo much with an Aſſembly? for many Presbyteries and Synods, yea and private Miniſters and Profeſſors, with whom they joine in their reſpective Relations, have done as much in relation to theſe Reſolutions in their capacities, as the Aſſembly hath done in theirs. And therefore it is wiſhed and deſired, that our Brethren laying aſide thoughts of irritations given, or of relevant cauſes of their Rent, would reſt ſatisfied with their teſtimonies, and free themſelves of the ſad conſequences of ſuch a Schiſme.

Obser. 6. It is looked on as a ſtrange caſe by impartiall obſervers of our differences, that our Brethren, many of them did finde in their conſciences to ſit for a while in the Aſſembly at S. *Andrews* for Peace ſake, (though with a Proteſtation to expreſſe themſelves further if they found cauſe) to concurre in the conſtitution, ſit as Members, and act in their capacities, both in the Aſſembly and in Committees; And yet the very night that a conſiderable part of the Forces of the Countrey were beaten, they came in with a Proteſtation againſt the Conſtitution of the Aſſembly: and never ſince can find in their Conſciences to condeſcend to acknowledge that Aſſembly for Peace ſake. This hath bin ſeconded with other practiſes of the like nature; for ſome Brethren, who when Humiliations were enjoyned by the Judicatories, joyned in them as comming from the Presbyteries to them, are now come the length that they cannot joyne in them on any tearms; I ſhall only ſay this to it: If they walked upon grounds of Conſcience in their firſt ſitting; how comes it that Conſcience now cannot on any tearms away with that Aſſembly? that there can be no tryſting, unleſſe that Authority be laid aſide? If it be matter of Conſcience now ſo much to diſclaime that Authority, it was no leſſe Conſcience before, when they acknowledged and ſate in the Aſſembly, and yet all or the moſt materiall of their exceptions were in readineſſe and well known; yea, many Members of the Aſſembly, who has now joyned in the Proteſtation,

teſtation, did then expreſly refuſe to concurre when it was given in, till the face of affaires were more fully altered. But if they ſhall take with it as an infirmity and ſin to have acknowledged the Aſſembly at all; as I ſhall be far from being againſt mens taking with and repenting of reall guilt, ſo I ſhall deſire, that under that cover they do not proſtitute their own integrity, and give not men occaſion to think, they can be bound by no practiſe or way of theirs, when they ſhall begin to think they have ſinned in it: By this means, if we were agreed to day they might break off to morrow.

Obser. 7. It would be conſidered, that as our Brethrens way is ſingular in this Kirk, ſo are their reaſons of their Proteſtation alſo, for who ſhall compare them with the grounds whereupon the Aſſembly at *Glaſgow* 1638. did condemn the corrupt Aſſemblies, will finde them of a quite different ſtrain, and will finde their reaſons to homologat better with the Proteſtation of the Remonſtrants at *Dort*, who, if the civill Magiſtrate had allowed them the indulgence which our Brethren enjoy, would have ſaid as much for themſelves as our Brethren ſay, to make the caſes different; And particularly, our Brethren would remember that the Aſſembly at *Glaſgow* did finde the Prelats exception in their declinator, that the Aſſembly was Judge and Party, to be irrelevant, even when the Prelates were cited to it, and ſo could have no power in the Aſſembly; and how much leſſe cauſe have they to plead that exception, when in the Aſſembly at S. *Andrews* and *Dundee*, many of the greateſt Diſſenters were both choſen and admitted members, and for the laſt Aſſembly, they were ſo far from being cited, that (without urging any prelimitations againſt them) they were called to be Judges and their Preſbyteries willing to elect them as well as others, and yet they refuſed to chooſe or be choſen, whereby if any thing were miſcarried, the guilt will ly at their door who ſhould and might have been there and would not.

Obser. 8. It needs not be thought ſtrange that the Aſſembly could not condiſcend not to conſtitute themſelves in an Aſſembly; for they judged themſelves bound to keep up the Poſſeſſion of yearly Generall Aſſemblies, and to provide that prorogations did not at laſt end in no diet at all, as was prudently marked in the Anſwer to the Biſhops Declinator, *pag.*17. and they could not but ſee that if they had harkned to their Brethren and quitted the poſſeſſion and indiction, they had upon the matter caſt all Aſſemblies looſe, for all the remedie that could be imagined for attaining to an Aſſembly, or which our Brethren could propoſe was to appoint and keep an Aſſembly by the conſent of Preſbyteries, which as I deny not to be in the intrinſecall power of Presbyteries, ſo in our *Caſe* it was as good as nothing:

nothing; for it would be remembred that, by the civil Law of the Land, this Kirk hath absolute power of keeping yearly Generall Assemblies, the latter by Indiction of the former, without needing to interpose with any: but in the matter of occasionall Assemblies, even when a Commission hath power to call one *pro re natâ*, the Kirk is bound to Remonstrate the necessity thereof to the supream Magistrate by humble Supplication, as is clear from *Assembly* 1639. Now any may easily judge how impossible and inconvenient it was to perform that condition in the confusion affaires were in at that time. *Again*, such an *Assembly* could not have been unlesse all Presbyteries had consented: now what assurance had they that our Brethren would ever consent to join with the rest without both prelimitations and preingagements? Or what if other Presbyteries had refused to join because they had quited a former legall Indiction (as for any thing the Kirk of *Scotland* had determined) or on some other cause? Was not this clearly to hazard the loss of all *Assemblies*, and to put the Kirk in a non-entry and out of possession of her rights, which she injoyed by the Law of the Land, as well as by the Law of GOD? *And*, for maintenance whereof in the Year 1605, the faithfull Servants of CHRIST endured imprisonment, condemnation as Traitors, and Exile from their Native Countrey: and whereas it is frequent in the mouths of many, that the late *Assembly* might have adjourned, before constituting themselves, without losing possession, as a thing usuall in the Kirk of *Scotland* so to do, or to fall on Questions concerning their constitution before they constitute themselves. I answer, that, when such practicks are produced, they shall be considered: mean time we find that the *Assembly* 1641. did not adjourn from St *Andrews* to *Edinburgh*, before they were constituted, and by *Act* had appointed Mr *And. Ramsay* Moderator for a time, as appears from the Index of the Unprinted *Acts*: we find indeed in the History of the Kirk, that in *February* 1597. (or 1596. after the old account) the Presbyteries being called by the King to send some of their number to *Perth*, to bring the Government of the Kirk in question and debate: after Commissioners had met diverse dayes and were corrupted by the Court, they did assume to themselves the power and authority of a Generall Assembly, notwithstanding many of their Commissions was expres not to meet in a Generall *Assembly*, nor to acknowledge that meeting to be a lawfull Generall Assembly, as not being lawfully Indicted, nor yet to reason and question the established Policy of the Kirk, which no Presbytery could give Commission to do; and notwithstanding many Commissioners present did Protest against it; As also long before, some few men did meet at *Lieth* without any appointment or indiction from a former *Assembly*, and made themselves

an *Assembly* of the Kirk of *Scotland*; But is it candide or fair dealing to obtrude such practises as warrantable and regular precedents to cast loose Assemblies, when Commissioners are chosen for that effect, when so many are waiting to improve such an advantage and there was no meeting could propone Overtures of peace, which could be effectuall, but an *Assembly*?

OBSER. 9. Our Brethren, and all who fear GOD, and love the peace of Jerusalem in this Land, would seriously consider the sad consequences of this way of Protestation, both in respect of themselves, of the People and of the Work of Reformation.

First, In respect of themselves, in Protesting against the constitution of the *Assembly*, they cast themselves upon a necessity of not joining in most necessary and lawfull duties, which the *Assembly* shall injoine. Experience teacheth that, when the *Assembly* shall appoint Humiliations for never so necessary and clear Causes, yet they will not join in it, and it is fair if they abstain from condemning of it: which, as it cannot but cause a fearful scandall in the Kirk, so I hope every impartial judgment wil condescend, when they look upon it, that it is a dangerous thing to brangle the authority of supream Judicatories, which draweth such an effect with it.

Secondly, As for the people, it would be considered that, by occasion of this Protestation and Rent, 1. The generality are turned loose and in perill of *Atheism*, because of the disagreement among Ministers. 2. The Remedy of Church Discipline is made ineffectuall, to restrain the increase of error amongst us, while such a Gape is made in the Hedge. 3. They do embarque many simple men with them against the *Assembly*, and make it so odious, as they tempt them at last to turn over to error and renounce our Kirk Government and all *Assemblies*. 4. Peoples minds are so set upon this thorny question, (wherein they are little able to discern or determine) that all who are against them are branded and hated as Malignants, *Apostates*, *&c.* and the Ministry of godly men made ineffectuall to people, yea and almost all Religion placed by many in these things. 5. Piety is exposed to contempt and hatred, in the eyes of naturall men, when they see men, under that name, so unorderly, and make such a stirre upon such a question, which they cannot but look on as a contending for rule: if not driving on a further design.

Thirdly, As for the Work of Reformation, 1. Our Brethren would remember that their so exact Criticisms upon that Assemblie doth but learn men a way to quarrell and cast all Assemblies that have been in this Kirk; for what ever they say of the Letter of the Commission 1651. if other men were as stout in their own Cause as our Brethren, are in taking sentences in their own favour, they might say as much of the Commissions

Act

Act, *June* 5. 1648. and ſo of many other particulars. 2. May not ill affected men take occaſion to ſay, that we muſt have Prelates again to keep us in order, ſince we cannot agree amongſt our ſelves, and ſince the Supream Judicatories cannot determine our differences? Not only that Aſſembly, againſt which they firſt proteſted, but the other following, wherein there was no prelimitations could be alledged, muſt be rejected becauſe indicted by the former. 3. Our Brethren have led a preparative for any partie that ſhall have the concurrence or convenience of civil power to exempt themſelves from all cognition or Cenſure by Judicatories; For may not they proteſt againſt them, and then judge of their own Proteſtation, and, if they pleaſe, ſit down in the Judges room, as our Brethren have aſſayed to do? Did not the depoſed Miniſters, who combined in a Supplication and verball Proteſtation, at the laſt Aſſembly, trace their footſteps; and if our Brethren were ſet in full poſſeſſion of Church power, if any partie ſhould pleaſe to break out and meaſure unto them as they have metted unto others, what could our Brethren ſay unto them? If they ſhould alledge that ſuch Dividers had a wrong Cauſe, they could eaſily anſwer them, that they would no more be judged by them, then themſelves would be judged by others, who accounted them wrong: nor could our Brethrens finding themſelves to have power, prevail againſt them who would judge of their own Cauſe, and the Judge too, as our Brethren have drawn the Copie, and now by this any impartiall Obſerver may ſee in what caſe Church Government is in by our Brethrens way.

Obser. 10. It is hoped, theſe things being ſeriouſly thought upon, laying aſide paſſion, prejudice and Intereſts, will move the godly and ſober to hearken unto the Aſſemblies offer of peace concerning the Proteſtation. Had they enjoined any acknowledgment of offence to be made by the Proteſters before they were received, or had they injoined them to renounce their judgment, or elſe there were no hope of peace, there might have been ſome colour of exception. But when all they require, is that, what ever their judgments be, yet out of love to peace they will paſſe from the Proteſtation that it may not ſtand as a Legall Bar of Union, nor as a legall ground, whereupon being united, they may overturn all again, and when, upon doing this, they are free from all Cenſures or Cenſurableneſſe, and as free for acting in all their capacities as any in the Kirk of *Scotland*, I ſee not what can be the cauſe of their refuſing it, unleſſe they intend a Cataſtrophe, and to new mould the Kirk of *Scotland* according to their principles, and bring all who have bin againſt them, good and bad, under their power as Delinquents, which, whether it flow from a peaceable diſpoſition, all unbyaſſed men and after ages will judge, and I hope the Lord

in mercy will clear. I am assured it will be found but small service to Christ and the souls of People, to ingage the honest and simple minds of many in such a Controversie, which, as they manage it, hath so little divinity in it. Their Major being matter of Constitutions, and their Minor matter of fact, the Conclusion must follow the nature of the premisses.

HEAD III. Albeit so violent debates in a matter of Controversy, and a Protestation overturning the Supream Judicatory of the Kirk, were sufficient to put a Kirk in a miserable condition, yet our Confusions have not stinted here. Our Brethren, not contented to have given their testimonies, and to have Protested against the Assembly, and submitted to what the LORD, in his providence, might call them to suffer, have turned head again, and, with great sedulity and diligence, have laboured to prosecute their Work, and for this end have appointed many extrajudiciall meetings, for Confessions and Prayer; separate from the rest of their Brethren, emitted testimonies in relation to the dangers of the time; set about purging of Kirks and Elderships where they have power; published Causes of GODS Wrath against the Land; kept separate publick Fasts, refusing to join in these enjoined by the Judicatories; divided Presbyteries; set up and endeavoured to keep up a Commission as from the Assembly, 1650. and followed many other courses, which are tedious to rehearse. And therefore, how ever those things for the substance have been hinted at formerly, yet, for further clearing of their way in this, I shall adde yet a few Considerations.

OBSER. 1. There is none that can impartially look on these and other of our Brethrens wayes, but they will clearly perceive in them a studied Schism, and a design to draw a Party, that they may be considerable. The reeling and instability of diverse of that way gives ground of jealousie whether the whole design tends. When men consider (beside what is formerly mentioned) the sedulous dealing and inculcating of their way upon the weaker sort (which *Burroughs* in his *Irenicum*, pag. 83. doth much condemn) their traducing and studying one way or other to defame and blast all that are against them, and for this end raising and spreading Stories and misreports of them, while as they have late Malignants in estimation great enough, if they be of their opinion; keeping of Fasts in their Congregations on week dayes for common Causes of their own appointing, when as the Judicatories (thought willing as formerly to set apart dayes for that end) have avoided it, and appointed Fasts on the Sabbath, wherein all come to publick Worship, that our scandalous rupture might not appear about such a duty, as it hath appeared by their Fasting on the week day,

day, when their neighbour Congregation, or many in the ſame Congregation (as it falls out among our Brethren) are at their work; and their ſeparating from the publick Faſts enjoined by unqueſtionable authoritie, Witneſſe their keeping a ſeparate Congregation in *Edinburgh* (which was the firſt was known there) when the Kirk there keeped a Faſt appointed by the Synod, becauſe of our calamities, diviſions and contempt of the Goſpel. I ſay, when men conſider theſe things done in a Nationall Kirk, unleſſe they will put out their eyes, they muſt ſee a ſtudied and endeavoured Schiſm, which yet I would be far from charging upon all, as knowing that many go on in the ſimplicity of their hearts, but certainly there muſt be ſome *primum mobile* in all this, that would drive further then every one obſerves, and I wiſh it were obſerved, how ſinfull and dangerous it is to embarque in ſuch a Cauſe.

OBSER. 2. Albeit many things our Brethren do, as Faſting, Prayer, purging out of ſcandalous Miniſters, extrajudicial Meetings, giving of Teſtimonies, *&c.* were all good and commendable in themſelves; and it is much deſired, that the fruits of their diligence in ſeeking God might appear more in their ſobriety of ſpirit and love to Peace: Yet, 1. ſhall not all thoſe things be ſo much the more odious, if under ſo fair a Mask a deſigne be caried on? 2. Is it not ſcandalous to do even good things in a diviſive way: whereas it were their duty to endeavour by their preſence and conjunction, to have right things done in an orderly way?

OBSER. 3. As for their publick Meetings, I would gladly deſire to know of what nature they are, for if they be the generality of the Godly their number is but few, to make out ſuch an aſſertion, if they be delegat from them, they would do wel to clear that they have Power from them, or that private Miniſters or Profeſſours have power to give to any to judge in ſuch matters, as they fall upon, in ſuch a way as they do; Or that an extrajudiciall meeting hath power to conſult or determine on the ſetting up of a Commiſſion to rule the whole Kirk, & all the inferior Judicatories in matters intruſted to them. Withall, it is thought ſtrange that they give equall voices to Miniſters, Elders, Expectants and privat perſons who join with them in their meetings; and however, I believe that Miniſters may be edified by the gifts and graces of privat men in a privat way, yet I believe that it is a new way in the Kirk of *Scotland*, & all Reformed Kirks, that in ſo publick Meetings as theirs are, Ruling Elders & private Perſons ſhould be called publickly to Pray amongſt them, this ſmels much of they way of Independents.

OBSER. 4. As for their pretending to the Commiſſion 1650. albeit it do not now meet, yet there is reaſon to ſpeak to it, conſidering that they did ſit in it, and as a Commiſſion have emitted Cauſes of GODS wrath

againſt the Land, and anſwered the Synod of *Lothians* deſire in *November*, or *December* 1651. that they have adjourned it from time to time, and it is not known how ſoon they may find the times ſo for them as to ſet it up again, and therefore it would be ſeriouſly conſidered.

1. That if any thing can be, this is an uſurpation upon the Liberties of the Kirk, for men choſen with a delegate power till the next Aſſembly, when the time of it comes to caſt the Aſſembly and judge their own deed, that it is well done, and ſit ſtill in the Chair; As they have now Proteſted againſt two Aſſemblies, and kept their power for near three years; may they not do the like for twenty years? yea as long as ſeventeen or ninteen of them (which makes a *Quorum*) are alive, and the Kirk of *Scotland* never have an Aſſembly to call them to an account? This were indeed to make men perpetuall Biſhops, and thrall the whole Kirk to the will of few; withall it cannot but be looked on as a great uſurpation, that ſome of them being ſuppoſed guilty and accountable to the Generall Aſſembly for it, they ſhould caſt the Judicatorie and ſit down in their place.

2. It is not unknown that there can be no Judge competent of the Nullity of a General Aſſembly, but another General Aſſembly: & therefore it muſt be an uſurpation in them to ſet up a Commiſſion having power to act obligatorly to the whole Kirk, upon the ſuppoſed Nullitie of the Aſſembly, while as the Kirk hath not condemned it, but on the contrary, by chooſing Commiſſioners to the laſt Aſſembly (excepting where they had power) did acknowledge the ſame, and the former which indicted it, and many of thoſe who did not come, did, by their Letters to the Aſſembly, declare they were not againſt the authoritie of the Aſſembly at S. *Andrews* and *Dundee*, as the Letters of the whole Synod of *Dumfreis* will teſtifie.

3. It is yet more conſiderable, that the moſt part of the Commiſſion 1650. gave up their Commiſſion to the Aſſembly, 1651. as diverſe of the Proteſters alſo did by concurring in the Conſtitution of that Aſſembly; and yet a minor part of that Commiſſion would ſtill uſurpe the Power, for if the plurality of that Commiſſion would meet, our Brethren would yet loſſe the Cauſe, and ſhall they take a negative voice, not only over the Aſſembly, but even over their fellow Commiſſioners.

4. Our Brethren would conſider, that by their emiſſions as from that Commiſſion, wherein (as hath bin ſaid) they condemn all the Reſolutions of Kirk and State, they make this Kirk infamous, and an object of hatred to all reformed Kirks, while as they do pretend to have the ſupream power for preſent, and give out themſelves as the only men who adhere to the principles of the Kirk of Scotland, do make null and void all the publick tranſactions concluded in the view of the World, and condemn

demn the constant tenor of their Declarations and Conclusions, and so upon the matter confirm much of that which malicious enemies said of us in the beginning and progresse of Reformation.

Obs. 5. As to the matter of their testimonies against the present ills of the time; I shall only say thus further, I wish they be full testimonies, and for all the Articles of the Covenant; and that their testimonies and other Papers did not contain as ample a Declaration and assurance that they are as loose in some of them, (which yet are like to prove the sharpest tryalls of the time) if they had their will in other things, as they do a testimonie of fixedneise in other Articles, and it doth not want some mysterie, that when a joint and full testimonie was desired to be given, laying aside our own differences, yet is was shifted and waved.

Obser. 6. As to the Paper containing the sins of the Ministerie; I desire not (and I hope deserve not) to be judged as one that would plead Ministers innocencie, or exempt them from having a hand in the provocations of the time, or from a necessity of mourning for their own provocations; Yet I must crave leave to tell our Brethren: 1. That it is not fair, when they have confessed these sins of themselves, to charge them in generall on the Ministrie of *Scotland*, or on any others beside themselves in so publick a way, nor is it fair for private men (though Ministers) to judge so of others. 2. What ever they say in their Preface, yet many do think that such a Paper doth very much contribute to the grand designe of the time, which is to overthrow a Ministry and Ordinances: For that Paper doth either contain their grosse faults and wickednesses, and then they have dressed their own processe, and their opposites may say, *ex ore tuo te judico*; Or it contains the infirmities against which they are daily wrestling, and then men may think that they might as well have mourned for them before the Lord and in private, as have blazed them abroad.

Obser. 7. Lastly, that I may not insist longer on such an unpleasing subject, I hope our Brethren upon second and serious thoughts will see, and however all unengaged men will, that what ever our Brethrens intentions are, (which I am so far from judging as I desire to entertain all charitie) yet for the nature of their work in such a juncture of Affairs, there could not be more done by men professing friendship for ruining a Countrey and Kirk, then they have done first and last, since the rise of these debates, and all may see and lament that, by our Brethrens way, we are left under confusion, without any hope of remedie, for our Brethren will do what they will, and then will agree to no Judge till they be sure he is of their mind. Confusions abound in Presbyteries, Presbyteries are divided, and Presbyteries set up within Presbyteries, and sentences of Synods

nods are appealed from, and the appealers go on with their course, and yet we can have no Judge whom they will allow to determine in these things. This is a matter of lamentation to all who love the Peace of Zion, and I think might make the hearts of our Brethren, who are tender and sober, to stand at such a course, as puts a Nationall Kirk in such a posture.

HEAD. IV. I come now to clear some objections and prejudices which the Protesters suggest and spread abroad, to make their own Cause favourable and the Assemblie odious.

And, I. It is given out that these who are for the Assembly do nothing for Peace and Union, of which themselves are very desirous. Answer, How ever, this be much talked off by some of inferiour note, and sometimes when some of them have done what they pleased, if the Judicatories do but declare themselves unsatisfied with their way, it is presently cryed out they are hinderers of Union, yet if they shall generally own this exception, I may safely say, that they may as well say any thing, if it may seem to advance their cause; for, 1. Is the Assemblies offer in relation to our late debates, and the Protestations to which I have spoken before, nothing for Union? What further could be required of them, unless they would have put Assemblies in a non-entry, and unless our Brethren would have them renounce their Judgements, which yet they do not require of our Brethren in their offers? this were not an Union, but to yeeld up the Cause against Truth and Conscience. 2. What have our Brethren done in order to an Union? Have they ever yet, though required, condescended with whom they would Unite? yea, have not some of their number openly declared that they would not joyn with all the Ministry of *Scotland*, but only desired by their conferences to draw some few that were on the Assembly from the rest? or would they so much as condescend to conferre, unlesse the Commission would lay aside their Authoritie?

II. They give out secondly, That they are the generalitie of the Godly in the Land, whereby it may be judged, what they think of all who are against them, some few excepted. Answer, I shall desire, as on the one hand to speak nothing to the prejudice of true Pietie, so upon the other hand, to distinguish betwixt reall Pietie, and mens being esteemed so, because they are of such a faction, or to blast and reproach men with calumnies because they are against my way and designe, as is too usuall in this time. Only for clearing this mistake, I would reply. 1. This seems to smell too rank of arrogancy and presumption. 2. For men to asume

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to themselves such a title, which they know from whom they have learned, since the Donatists of old were put from it. 2. For men to condemn all their oppositts, though the generalitie of a Land and of a Kirk in heaps as ungodly men: I would judge it great arrogancie for any man to assert, that there are not moe seekers of God in sincerite throughout the Land, by far, then all that owns our Brethrens way, good or bad; sure I am look through the Land, and consider these of Nobles, Gentrie, and Burroughs, who have been eminent in the Cause in Judicatories and other actings, and they will finde a a few of them at their meetings. 3. Supposing men to be Godly, yet it seems a great presumption to bear out mens Cause, be what it will, because they are Godly, whereas Piety is given of GOD to inable men to be instrumentall to save their own souls, and if they will lay more on it then it will bear, and cause it commend every way they follow, it shall be righteous with God to blast it.

2. What ever partie they have drawn amongst Godly men, it arises from our Brethrens abusing of the simplicity of good men, who as they cannot well discern of that controversie about an Assemblie, so neither are they against the constitution thereof, as some of themselves who in simplicitie subscribed the Protestation have acknowledged; only because of their dissatisfaction about the Resolutions, our Brethren have caried them on to overturn all, and therefore emitted Papers to perswade them, who were against the Resolutions, not to joine in the Assemblie; as if every wrong sentence (put the case the Resolutions had been wrong) did annull the authority of the Judge, further then in relation to that sentence. They shall do well to think of an account to God, for their carriage, whose credit & whose activity beyond their ordinary strain, in all the Work hitherto, hath engaged well affected men in this Controversy, which lay so far out of the way, in their ordinary course to heaven: and it is hoped many of them, when they see the utmost of this businesse, will be loath to go on: And if others, when their spirits are set on edge, run further wrong and renounce all Assemblies (as others already have done) our Brethren may think they have done them a shrewd office.

3. It would not be forgotten that this looks like the time of trying godly men: and as others have had their trialls and tentations since this Work began wherewith well affected men have not been moved, so that now the LORD is winnowing them; wherein I am confirmed from the the Apostasie of many, (who at least pretended to piety) to the erro-

and deluſions of the time: And therefore it would ſeem more fitting, for truely Godly men to be fearing and trembling leaſt their way be a part of their diſcoverie, then to commend it to others from the conſideration of their perſons, eſpecially conſidering that every Godly man is not fit for all things, and that theſe who are very eminent in Piety, and for contemplations in Holy Things, may yet be very weak in practicall debates, ſuch as ours are.

4. The weakneſſe of this Argument of commending a Cauſe becauſe many good men follow it, may be abundantly diſcovered by recent experience, when the hatchers and maintainers of all the Errors of the time were cryed up under that ſame name; but I deſire rather to clear it from Scripture. When *David* a man after GODS heart will have the people numbered, and *Joab* a prophane and bloodie man is againſt it, would any man judge that good Divinitie to ſay, *David* muſt be right becauſe Godly, and *Joab* wrong becauſe profane? May not a very naturall man ſtand right, when a Saint under tentation ſtumbles? Again when *Peter* the great and known Apoſtle and the Chriſtian *Jewes* and *Barnabas* followed a courſe which onely *Paul* (not yet ſo eminent as ſome of them) oppoſed, would any think it a right way to have followed the ſide whereon their were manyeſt Godly? GOD hath of old pronounced a curſe on truſting in man, be what he will, and commanded us to go to the Law and Teſtimony of him who is only true, whereas all men are liers.

III. They except that the Aſſemblies courſe is contrary to the Covenant and Solemn Engagement. Anſw. 1. What ever this objection ſay to the matter of the Reſolutions, (which I hope ſhall be juſtified) yet it ſayes nothing for overturning the Aſſembly, which is the chief difference; and which if they had abſtained from, other debates might more eaſily have been digeſted.

2. I beleeve they cannot urge the Covenant in this Plea, for thereby the cenſure of Malignants is expreſly referred to the competent Judicatories, and not to every private ſpirit; and for the Solemn Engagement, it is to be exponed by the Covenant, for it contains no new Covenant, but a renovation of the old, and a new ingagement to the duties thereof after our Apoſtacies.

3. It is well remembered by theſe who were upon the debate in concluding

concluding that Engagement, that what ever tyes were laid on there, in reference to Malignants, yet the case of an invasion of the whole Land and interests therein was expresly excepted; and that for avoiding of ambiguities in this very businesse in stead of the *concrete Malignants, prophane men, &c.* the abstract was put in of *not complying with Malignancie, prophanitie, &c.* that so joining with such men (especially being Ecclesiastically purged of their Malignancy) in a common necessarie and lawfull duty, might not come under the name of such compliance.

4. If such a tye be laid upon us in our Brethrens judgements by that Engagement, as not to joine with these men in such a case as ours was, the tye must either be to a morall and perpetuall duty, or to a thing only positively lawfull. If they urge it as a morall duty, then they would consider that however we be doubly obliged, by GODS Law and our own Engagement, yet they must hold it to be a sin in all Nations as well as amongst us, not to do these things which are perpetuall and morall, and so the peculiar arguments taken from our case, may well aggravate our fault, but all that, still shall lie as a sinne, by their principle, upon any Protestant subjectes in any Nation to rise with their Prince and fellow Subjects, when the Nation is invaded, if they be judged ill affected to the Cause of Religion, though professing it, and have bound themselves by many obligations to maintaine it, and much more if they be of a contrary Religion: Yea it should be a sin in us, if the Turke and his Alcoran were coming upon us, to joine in Armes with these our fellow Subjects though Christians to defend our Countrey, Lives, Interests and Religion, which is a principle I believe, common sense will hardly digest. If it be urged as a thing only positively lawfull, then I have already cleared that the case of self defence to which we are tyed by the Law of nature doth dispence with such an obligation.

5. The Solemn Engagement doth only bind every man in his station to the dutiestherein contained, the Magistrate or Minister, and private person to do what he may within the compasse of his Calling, but doth not bind every man to every particular, so that a private man should assume the power of the Magistrate or Minister to do what the private man thinks is omitted by them; and therefore as the Covenant makes it the Magistrates station to censure and punish Malignants, so it must be a wresting of the intention and very letter of the

Engagement, for private men to look on themselves as Engaged to overturne both Kirk and State, if they do not (in their apprehensions) perform what they are tyed unto. To mourne in secret and give their private testimonie, and rest there, doth better beseem their station and Engagements.

IV. They give it out as a great disadvantage and reproach against the Assembly, that they are against all purging of corrupt and scandalous Ministers out of the Kirk, and doe take the protection of corrupt men, if they be of their way. Answer. I shall not declaime against their way of purging where they have power, which is, not only scandalous as being done in a separate and divisive way, but injurious in that they will not acknowledge the supream Judicatories who have power to cognosce thereupon, and to approve if it be right, and right these who are injured if they have proceeded wrong: But this I will say, that this is a manifest injurie done to the Assembly; Their Act in answer to our Brethrens Propositions doth clearly hold out the contrary, and for the not executing of it hitherto, it is not their fault, but our Brethrens, who 1. By their irregularity in reference to the supream Judicatories in the time of their lying under contempt, have taught others to make the Authoritie thereof ineffectuall. 2. By leaving the Judicatories, and not joyning with their Brethren, have weakned the Judicatories. It hath been much desired that by their uniting they would fortifie the heart of the Government, and settle our distempered humors, that so the Kirk may be able to purge out noxious humors according to the old principles: but our Brethren have chosen a method of their own, first to separate from men, and then to purge them out which seemes to be preposterous.

Conclus. Having made these few observations upon the matter of our sad differences, I have no more to adde, but only to shew my scope therein, which is neither to make the persons of our Brethren odious, nor to raise, or keep up contentions, which have so long burnt us as a flame, but only to do somewhat for clearing of a Nationall Kirk, made so odious by many practises, and to see if the mindes of any who are bemisted in this businesse might be cleared of mistakes: And if our Brethren will yet consider their way and begin to think on healing our breach; and therefore the summe of all that I would have gathered from the fore-going discourse is,

1. That

1. That our Brethren would more seriously lay to heart the sad fruits of this rupture which they make from our Judicatories, which have been hinted at in going through, and are only now recapitulated; they may see a preparative led for shaking loose all Kirk Judicatories upon every occasion; the body of the people in perill to turn Atheists; true piety in perill to be lost and evanish in notions and debates; men engaged by them in the Controversie are in hazard to outstrip their leaders, and run further wrong; love is decayed, and mistakes and prejudices and unjust aspersions multiplied; the Government of the Kirk is made useless in this reeling time; piety is in hazard of sad reproach, while men, professing it, act in so divisive a way, to the breaking of all society; and many new principles are started among us, as no controversie, upon how small a difference soever, but usually breeds new principles: We are now taught, That the former Conclusions of Kirk and State, before our differences are a part of the Cause of Gods Wrath; That men must not join in a lawfull duty because of the sin of others; That no Army may consist of any, but of such as all the Covenanters are satisfied with; That every Covenanter must have a negative voice in matters of Church and State: That when we apprehend fear of wrath to come on others in a lawfull work, therefore we may forsake them in it. These and many other principles are clearly held out in the Papers and practises of these times, which, with the other effects of our Rent, may shew us that it is not flesh and blood only, but spirituall wickedness in high places that acts chiefly in it, to bring about some grand designe hereby.

2. That our Brethren considering these things, would more cordially set about accommodation and healing, which as it is very cordially desired and longed for, so I can see no way how to make an accommodation, but by acknowledging the Authority of the Assembly, and forbearing other debates, if they intend to keep this Nationall Kirk in possession of her Judicatories, and purpose not (as is said) to crush all that have been against them. And for this end I would earnestly obtest that they would clear themselves by their practise of that which is laid to their charge, that their want of such power as they would have, is the cause of all these wayes they follow, and that they will agree to no Union, unlesse they get all the power in their hand. I desire also that well affected young men of the Ministery, who are unexperienced, would take heed to their spirits that hote blood and

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inconsiderate Zeal do not precipitate them on courses which after times may cause themselves sadly to resent: And I am perswaded that if all who are imbarqued that way, (especially those who are leaders and drive others along with them) would consider how heavy the effects of this Rent will be to bear and answer for, they would finde their foundation too weak to have built such a structure upon.

3. That if it shall please the LORD yet to afflict this poor Kirk with such a sad rupture, yet the Godly and Sober in the Land may be well advised before they condemn the Judicatories, or imbarque in a course of such consequence: For assuredly if the LORD continue our rupture, it is because he is about to discover some drosse by it, which otherwise would have lurked: Which when the LORD shall discover, they will think themselves well guided, who have kept their hands free of such violent courses, and have walked in sober and peaceable wayes.

FINIS.